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SUBJECT: AMBASSADOR AND MINUGUA CHIEF TOUR D'HORIZON

1. (SBU) Summary: The Ambassador and USAID Director met with MINUGUA Chief Koenigs, who was thankful for USG support on extension of MINUGUA's mandate through 2004, and was cautiously optimistic about further implementation of the Peace Accords. The Ambassador discussed possible counternarcotics decertification, CAFTA negotiations, and donor collaboration in the Consultative Group. Koenigs described MINUGUA's priorities for 2003-2004, which include a very limited electoral monitoring role, and said MINUGUA would have little to contribute to an investigation of clandestine groups in Guatemala. End Summary.

2. (U) On January 6, Ambassador Hamilton, USAID Director Anders and USAID Coordinator Reisman paid a courtesy call on MINUGUA Representative Tom Koenigs, his deputy Maria Maldonado and assistant Jens Urban. The discussion was wide-ranging and cordial in tone.

Grateful for Extended Mandate  
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3. (SBU) Koenigs thanked the Ambassador warmly for USG support for extending MINUGUA's mandate to the end of 2004 and outlined MINUGUA's priority agenda for its remaining two years, namely human rights, indigenous advancement, and demilitarization. MINUGUA's focus will be on capacity-building of local institutions, and all human rights case verifications will be conducted jointly between MINUGUA and the Office of the Human Rights Ombudsman (PDH). Koenigs said he would propose to UN headquarters that all field officers work exclusively in local capacity building in 2004.

Upbeat on Accords; Concerned About "Differences In Agenda"  
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3. (SBU) Koenigs said he was optimistic about prospects for progress on Peace Accords implementation in the remaining year of the Portillo Administration, despite the challenges ahead. Koenigs highlighted MINUGUA's successes and ongoing efforts to urge the government to adhere to key elements of the peace agenda. He cited the importance of the Consultative Group process and meeting in Guatemala later this year. The Ambassador pledged support for the donor consensus in the CG while noting we had some doubts over the value of a CG with an outgoing government.

4. (SBU) Koenigs referred to a perceived "difference in agenda" between the USG and MINUGUA, particularly in the area of security and demilitarization. On the security issue, Koenigs said that although personal security is the top concern of the majority of Guatemalans, Guatemala lacks a "Giuliani" to help address law enforcement problems. He was critical of the performance of the National Civil Police (PNC), citing "stupidity" as "half of the problem." Koenigs also noted that the PNC did not receive adequate resources (and international donor support was limited) and was consistently overshadowed by the military.

5. (SBU) Koenigs said that MINUGUA is particularly concerned about "remilitarization" and the growing power of the military (he cited joint patrolling with PNC, potential role in maritime patrols, etc.). While claiming a good working relationship with the military, particularly the Minister of Defense, Koenigs nonetheless believes that civilian oversight and control is weak at best. Koenigs also expressed concern that no security body be set up outside of civilian control (Comment: perhaps alluding to Presidential candidate Oscar Berger's idea to convert the Army into a "gendarmierie-like" institution. End Comment.). Koenigs credited the GOG for its announced plan to demobilize the EMP, but expressed concern that the EMP's civilian presidential security replacement (SAAS), might be vulnerable to a security incident intended to undermine its political viability.

6. (SBU) The Ambassador doubted that we actually have a difference in agenda. He explained current restrictions on our mil-mil relationship, i.e., regular IMET and FMF being prohibited by law. He said we will have a frank dialogue with the Guatemalan military on human rights, transparency in the military budget and on the need for the military to be apolitical. Thus, the Ambassador said, we see no difference in agenda.

17. (SBU) Koenigs asked the Ambassador how USG narcotics decertification would affect the GOG. The Ambassador explained the possibility of a national interest waiver and said we will seek GOG participation in a Central American Free Trade Agreement regardless. The Ambassador told Koenigs that while there was obvious tension in our bilateral relationship due to our concerns over corruption and narco-trafficking, we have every intention of making progress in these areas and in the overall bilateral relationship.

#### Sees Limited MINUGUA Role in Elections Observation

18. (SBU) Koenigs said that MINUGUA sees itself playing a very limited role in elections monitoring -- since its field presence and capacity are now so limited. He said the OAS and the EU (which is well advanced in planning an observer mission) must take the lead role in elections monitoring. (Note: USAID is funding part of the OAS' broader voter outreach effort and is gathering more information on other OAS and EU plans for election monitoring. End Note.) Since Guatemala's last two elections have been largely free and fair, Koenigs does not expect UN headquarters to mount an observation mission in 2003 unless it receives a specific request from the GOG. Were MINUGUA asked to take a more prominent role in elections monitoring, he said, it would need additional resources.

19. (SBU) When pressed about a possible Rios Montt candidacy, Koenigs commented that he guessed it to be a "50/50" possibility, particularly now given his hold on the Army through his son's recent promotion. Koenigs said he was under strict orders from UN headquarters not to comment publicly on the validity of specific candidacies, particularly if Rios Montt were to be cleared to run by the Constitutional Court.

#### Concerned About Human Rights

10. (SBU) Koenigs lauded the Department's annual Human Rights Report for Guatemala and commended the Embassy's continuing concern and emphasis on human rights and implementation of the Peace Accords. Koenigs expressed concern about recent extrajudicial killings and threats against indigenous leaders. The style of the attacks clearly indicate involvement of individuals trained in military techniques.

11. (SBU) Turning to the proposal from human rights groups to mount a commission to investigate clandestine groups and activities in Guatemala, Koenigs was distinctly unenthusiastic about MINUGUA collaboration and about any such commission's prospects for success. Koenigs stated flatly that, despite mention of the worrisome existence of clandestine groups in its most recent report, MINUGUA does not have specific information on clandestine groups, could not take on the task of verifying the existence of these groups without additional resources, and currently would not have much to contribute to such an investigation. Furthermore, Koenigs said that the Salvador death squad commission being promoted as a model for this commission was considered to have been largely ineffective by the UN.

Comment

12. (SBU) Koenigs, who has a background in Green Party politics before working for the UN for three years in Bosnia, seems a little surprised but pleased to be so closely allied with the U.S. in Guatemala, his (mis)perceptions of "differences in agenda" notwithstanding. This initial meeting was useful in clarifying some of those perceptions, and setting a cooperative tone for collaboration in the run-up to the Consultative Group meeting. Koenig's misgivings about a commission to investigate clandestine groups seem to stem from an understandable concern to prevent further MINUGUA mandate-creep at a time when it is beginning its phase-out.

Hamilton